D.B. CIVIL SPECIAL APPEAL (W) NO.478/2006
(Harjiram & Ors. Vs. State & Ors.)

Date of order : 6.10.2006

HON'BLE MR. JUSTICE RAJESH BALIA
HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr. K.K. Bissa, for the appellant.

Having heard learned counsel for the appellant we are of the opinion that no case for interference in the order passed by learned Single Judge is made out.

The petitioner has made an application claiming himself as Khatedar of the land in question. However, three revenue courts have found that the land in question has been recorded as 'gair mumkin oran' and no khatedari rights can accrue. In view thereof, the application filed by the appellant was rejected.

We may notice that in the chequered history of the case, the matter was twice remanded. However, the findings remained the same.

Learned Single Judge has not interfered with in the matter by clearly stating that the findings recorded by three learned Courts below are pure findings of fact and are not shown to be successfully vitiated on any of the grounds. We are in agreement

with the order passed by learned Single Judge. The appeal fails and is hereby dismissed.

(GOPAL KRISHAN VYAS), J. (RAJESH BALIA), J.

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